



#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT ACCORDING TO 37 C.F.R. §1.97(b)

APPLICANT(S): SERIAL NO.:

: Chalupper et al 10/788,521 DOCKET NO: ART UNIT: P04,0054 2643

FILED:

February 27, 2004

EXAMINER:

6889

TITLE:

CONF. NO.

Device and Method to Adjust a Hearing Device

Commissioner for Patents PO Box 1450

Alexandria, Virginia 22313-1450

Sir:

In accordance with the provisions of 37 C.F.R. §1.56 and the requirements of 37 C.F.R. §1.98, Applicant respectfully requests that a citation and examination of the references identified on the attached PTO/SB/08 form be made during the course of examination of the above-identified application for United States Patent.

The present Information Disclosure Statement is being filed according to 37 C.F.R. §1.97(b) and before the latter occurrence of:

- (1) three months from the filing date of a national application;
- (2) three months from the date of entry of the national stage as set forth in 37 C.F.R. 1.491 in an international application; or
- (3) the mailing date of a first Office Action on the merits.

## REMARKS

The attached PTO/SB/08 form lists related art references for the above identified application. In accordance with 37 C.F.R. §1.98(a)(2)(ii), no copies of the U.S. patent documents are being supplied herewith, but will be provided upon request.

## **EXPLANATION OF RELEVANCE**

References AA-AC were cited during the prosecution of a corresponding

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European application. Reference AA is in English, so no further commentary on its teaching is required. Reference AB is a German-language PCT publication. Reference AD is a U.S. patent publication corresponding to reference AB. Reference AC is a German-language European patent document, for which a Derwent English-language abstract has been provided. A full translation of this reference will be produced at the request of the Examiner.

The filing of the present Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed as an admission that the information cited in the present Information Disclosure Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The above citation of related art is not a representation that such art constitutes a complete or exhaustive listing of all pertinent related art, nor that it necessarily includes the closest or most relevant art. The aforementioned citation comprises a voluntary citation of related art of which applicant and his attorney are presently aware and is not intended to serve as a substitute for the Examiner's own search.

Submitted by,

(Reg. No. 45,877)

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#### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on March 20, 2006

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PTO/SB/08A (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449/PTO

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)

Complete if Known		
Application Number	10/788,521	
Filing Date	February 27, 2004	
First Named Inventor	Chalupper et al	
Art Unit	2643	
Examiner Name		
Attorney Docket Number	P04,0054	

	Cite	Document Number Publication Date	T DOCUMENTS  Name of Patentee or Pages, Columns, Lines, When		
	No.1	Number-Kind Code <sup>2 (F Answer)</sup>	MM-DD-YYYY	Applicant of Cited Document	Relevant Passages or Relevant Figures Appear
/GM/	AA	<sup>US-</sup> 5,825,894	10/20/1998	Shennib	
	AD	<sup>US-</sup> 2004 013280	01/22/2004	Niederdrank	
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		FOREIGI	N PATENT DOCU	MENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevent Passages	П
		Country Code <sup>3</sup> "Number <sup>4</sup> "Kind Code <sup>5</sup> (if known)	MM-DD-YYYY		Or Relevent Figures Appear	T*
/GM/	AB	WO 02/28143 A2	04/04/2002	Siemens Audlologische Technik		3.9
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Examiner Signature /George Monikang/ 07/04/2007 Considered

"EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 509. Draw line through citation in rot in conformance and not considered, include copy of this from with next communication to applicant. "Applicants unique citation designation number (optional)." See Kinds Codes of USPTO Parton Userments at www.userloa.gov or VMPEP 901.00 is. "Enter Office that issued the document, by the two-letter code (WMPC Standard ST.3." For Japanese patent documents, be indication of the year of the reign of the Emperor must proceed the senial number of the patent document. Kind of document to the appropriate symbolics as indicated on the document user. WMPC Standard ST.1.6 if possible. "Applicants to place a check mark here! English inaquage Translation is attached

Translation is attached.

The internation is required by 37 CFR 187 and 188. The information is majored to obtain or retain a benefit by the public which is to fit (and by the USFTO to groupse) in anglication. Confidentially its generated by 38 US CFI 22 and 37 CFR 14. This collection is estimated to take 19 to complete, including gatherine, propering, and submitting the completed application form to the USFTO. Time will vary depending upon the incidudus case. Any common the amount of time pay necessity to complete this form and order suggestions for excluding this factor, should be sent to the Cert formation of Control. Of Control 188 and 188 an